

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE SEARCH WARRANT
APPLICATION FOR LOCATION
INFORMATION.

24-MR-1391

**POST HEARING ORDER IN RE SEARCH WARRANT APPLICATION
FOR LOCATION INFORMATION**

The Court issues this Order following its August 1, 2024 hearing in this matter. At this hearing, the United States argued that no case or controversy currently exists because the United States has replaced its original search warrant application with one that does not include the language about which the Court expressed concern. The United States' long history of routinely submitting search warrant applications that include the language at issue, to include recent submissions, provides fodder for an argument that this controversy is capable of repetition, yet evading review. Nonetheless, based on the United States' representations at the hearing and the United States' resubmitted search warrant application, the Court declines to issue an Opinion related to language in the search warrant applications the United States has since withdrawn. That is, the Court accepts the United States' explanation that its requests for an initiate-a-signal command were submitted in error and that the United States does not intend to submit such requests under similar circumstances in the future in the District of New Mexico.

As such, the Court considers this matter closed.


UNITED STATES MAGISTRATE JUDGE